

Criminal History Check Guidance

Student Teachers and Interns

The Idaho State Department of Education (SDE) will post the results on the Web site for the college/universities and for the school districts or charter schools.

It is the responsibility of the individual school district or charter school to ensure that a criminal history check (CHC) is processed on student teachers coming from out-of-state college/universities. This means that the school district must use an SDE fingerprint card and submit to the SDE.

When a school district employs a student teacher as a substitute teacher, coach, aide or other position, a multiple assignment form must be submitted with both the college/university signature and the school district signature.

The SDE believes that candidates doing a practicum in which they are still under direct control of the classroom teacher meet the definition of supervised contact and, therefore, would not have to have a fingerprint check done until they are doing their student teaching/internship. The final determination as to when an intern MUST be fingerprinted is at the discretion of the university.

1. The college/university will submit a completed fingerprint card or scan for all candidates who are applying for student teaching/internships.
2. Upon receiving the candidate's CHC result, the SDE will make a preliminary determination if the candidate is eligible for certification in Idaho. This decision will be forwarded to the college/university concerning the eligibility of their candidate to student teach.
3. If the determination is that the candidate is not eligible for Idaho certification, the candidate may request the Professional Standards Commission to conduct a review for a final determination.
4. The SDE will move a candidate from the college/university list to the newly certified list when he/she submits his/her application for certification.

Five-Day Submission

The new law requires the all employees hired on or after July 1, 2008 submit fingerprint cards or scan to the State Department of Education no later than five days following the first day of employment or have unsupervised contact with students, whichever is sooner.

An individual can start interacting with students as soon as the SDE receives the fingerprint card and their name is posted on the Web site. School districts should check the Web site often as the information is posted as soon as the SDE received the fingerprint card.

The SDE has approved a new payment process for the Background Records Office. This process, which was designed to assist the districts in meeting the five-day submission requirement, will allow a district to make advance deposits to cover fingerprinting to the Background Records

Office. As fingerprints are received from the district, the processing fees will be subtracted from the balance of the prepaid account. Districts will be notified when the account is getting low on funds. For more information, please contact Shannon Haas at the SDE at (208) 332-6888 or SHHaas@sde.idaho.gov.

Substitute Teachers

Substitute teachers will remain on the statewide substitute list for five years – changed from three years. After five years, the substitute teacher's name will drop off the statewide substitute list and a new CHC will be required.

If the date of expiration occurs prior to July 1, 2008, the substitute teacher must undergo a new CHC. For substitute teachers whose expiration date is after July 1, 2008, the expiration date will extend for a total of 5 years. For some, this will only be a year or less, while others will get multiple years.

Contractors/Volunteers

Idaho Code 33-512(16) requires that contractors and others who have irregular contact with students must be checked against the Sex Offender Registry. It is the school district's responsibility to ensure the safety of their students. This can be done within minutes through the Idaho State Police Web site at http://www.isp.state.id.us/sor_id/search_regnam.htm.

The proposed rules, which are going before the State Board of Education for approval in August, provide definitions for irregular contact, supervised contact and unsupervised contact.

- **Irregular Contact:** Contact that is not on a daily or weekly basis, or has a regular scheduled interaction with students.
- **Supervised Contact:** An individual who works directly with students, while under the direction of a school district employee (certificated or un-certificated) in a classroom, office, library, cafeteria or other common areas in or around the school. This includes extra-curricular trips of one-day length starting during the school day.
- **Unsupervised Contact:** An individual who works directly with students on a continuing basis, provides contracted educational services, student teaching/internships, other practicum for Pupil Personnel Services candidates, or interacts with students in scheduled school activities that occur outside of the school and/or outside of normal school hours.

For volunteers, please see the definition for supervised contact. We do not anticipate that volunteers will need to be fingerprinted unless they are directly involved in an activity that is clearly unsupervised, (i.e. band or choir trips, debate or speech competitions, drill or dance team competitions, FFA competitions, overnight field trips, etc).